

REMARKS

Reconsideration of this application is respectfully requested in view of the foregoing amendment and the following remarks.

Claims 1 and 3-20 were pending in this application. Claims 1, 11 and 20 have been amended hereby to even more clearly define the present invention. Accordingly, claims 1 and 3-20 will remain pending herein upon entry of this Amendment. For the reasons stated below, Applicant respectfully submits that all claims pending in this application are in condition for allowance.

Applicants thank Examiner Gort for the courtesies extended to Applicants' representative during the telephone interview conducted May 18, 2004. The substance of the interview is incorporated into the following remarks.

In the final Office Action mailed March 11, 2004, claims 1 and 3-20 were rejected under 35 U.S.C. §103(a) as being unpatentable over Marchbanks et al. (U.S. 6,266,401) in view of Heindel et al. (U.S. 6,304,857). This ground of rejection is traversed for the following reasons.

As explained during the telephone interview, the present invention is directed to a method for verifying that customer bills that are generated for customers include correct taxes. In order for verification to occur, taxes must first be calculated and then during a subsequent verification process, the taxes are again calculated by the verifier to ensure that the taxes are correct.

Independent claims 1, 11 and 20 have each been amended to even more clearly emphasize the independent nature of the two tax calculations associated with the method of the present invention. Specifically, the claims now recite that the hold bill tax charges are independently

calculated by an entity other than a telecommunications service provider (or, alternatively, an outsourced entity). The claims further recite that the calculated tax results that are generated by the verifier (e.g., the telecommunications service provider) are independently calculated.

Thus, as pointed out during the telephone interview, the present invention requires two separate and independent tax calculations so that verification of the taxes on hold bills can be properly performed.

The combination of references now being asserted against the claims does not disclose or even suggest two separate and independent tax calculations. Marchbanks et al. disclose a consolidated billing system and method for use in telephony networks. The disclosed invoice processing system (IPS) is described as an invoicing and tele-management reporting system for residential and business customers. (Marchbanks et al., col. 3, lines 20-22.) At col. 4, lines 37-43, Marchbanks et al. describe how taxes are determined and that the IPS "verifies that all information on randomly selected customers within a given cycle is accurate." Thus, it is not disputed that Marchbanks et al. describe calculating and even verifying taxes.

Heindel et al. is directed to a distributed electronic billing system with gateway interfacing biller and service center. Heindel et al. is focused on formatting a bill that is sent out by a third party biller. (See, e.g., Heindel et al. at col. 1, lines 64-66.) In this regard, Heindel et al. disclose a billing system and method for creating, designing, and distributing customized electronic billing statements. In accordance with the description of Heindel et al. a biller independently controls the appearance and format of a billing statement. (See, e.g., col. 2, lines 31-36 of Heindel et al.)

Col. 5, lines 51-55 of Heindel et al. disclose that a service center 24 generates customized billing statements for each biller from a statement template and the billing information received from that biller. Significantly, there is nothing in Heindel et al. that discloses or suggests that the system described therein actually independently calculates any taxes. Indeed, a fair reading of Heindel et al. would lead one of ordinary skill in the art to reach the conclusion that the system of Heindel et al. merely receives information to be reformatted so that the appearance thereof is consistent with what a biller intends. There is simply nothing in Heindel et al. that would lead one of ordinary skill in the art to deduce that the system performs independent tax calculation.

In view of the above, only one of the references asserted against the claims discloses an entity that actually calculates taxes. On the other hand, the claims of the present application require that two different and separate entities independently calculate taxes for the purposes of verification. None of the prior art of record discloses such a methodology.

Since each and every one of the elements recited in the claims is neither disclosed nor suggested by the prior art of record, Applicants respectfully request that the §103(a) rejection of the claims be reconsidered and withdrawn.

Serial No.: 09/588,534
Art Unit: 3627

Attorney's Docket No.: BS99-090
Page 11

In view of the foregoing all of the claims in this case are believed to be in condition for allowance. Should the Examiner have any questions or determine that any further action is desirable to place this application in even better condition for issue, the Examiner is encouraged to telephone applicants' undersigned representative at the number listed below.

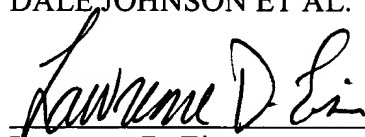
SHAW PITTMAN LLP
1650 Tysons Boulevard
McLean, VA 22102
Tel: 703/770-7900

Date: June 14, 2004

Respectfully submitted,

DALE JOHNSON ET AL.

By:



Lawrence D. Eisen
Registration No. 41,009

Attachments:

LDE/dkp

Customer No. 28970